

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Mail Processing Network
Rationalization Service Changes, 2012

Docket No. N2012-1

PUBLIC REPRESENTATIVE'S FIRST SET
OF INTERROGATORIES AND REQUESTS FOR PRODUCTION TO
UNITED STATES POSTAL SERVICE (PR/USPS-1-3)

(December 21, 2011)

Pursuant to 39 CFR 3001.25 through 3001.28, the Public Representative hereby submits the following interrogatories and requests for production of documents.

Due to availability of the Public Representative and staff to review Postal Service answers, and the press of other business over the coming holidays, the Public Representative proposes that the Postal Service provide answers no later than January 12, 2012, rather than the customary 14 days.

The Public Representative encourages the Postal Service to discuss issues of burden, privilege, relevance, or question clarity informally to obviate the need for objections or motions practice.

DEFINITIONS AND INSTRUCTIONS

A. Each of the following discovery requests is continuing in nature and the Public Representative requests that if you obtain any additional responsive information or documents at any later date, you promptly so inform the Public Representative and submit supplemental or amended answers and documents.

B. If privilege is claimed with respect to any data, information, or documents requested herein, the party to whom the discovery request is directed should provide a privilege log (see, e.g., Docket No. C99-1, P.O. Ruling C99-1/9 at 4). Specifically, “the party shall make the claim expressly and shall describe the nature of the documents, communications, or things not produced or disclosed in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the applicability of the privilege or protection.” Fed. R. Civ. P. 26(b)(5).

C. If in response to any discovery request the Postal Service is unable to provide any of the requested documents or information, please state, with particularity, the reasons why the requested information cannot be provided.

D. In responding to any questions contained in the attached discovery requests that require any calculations, analysis, assumptions, or studies that have been prepared, please provide and identify copies of such calculations, analysis, assumptions, studies, and all workpapers that relate to the response.

E. If an objection is made to only a part of a discovery request, please answer the remainder of the request.

F. If data or information is not available in the exact format or level of detail requested, please provide such data or information (1) in a substantially similar format or level of detail or (2) in a format susceptible to being converted to the requested format and level of detail.

G. The term “Postal Service” includes all agents, employees, officers, directors, attorneys, representatives, and anyone acting on its behalf, as well as the Board of Governors, contractors, and subcontractors to the Postal Service.

H. The terms “document” or “documents” are synonymous in meaning and equal in scope to the usage of the terms as defined by 16 CFR 3.34(b), including but not limited to the original or a copy of any letter, email, note, spreadsheet, memorandum, directive, report, study, meeting minutes, contract, diary entry or schedule, presentation, print out, speech, testimony, pamphlet, chart, tabulation, workpaper, draft, recording, and other writing or retrievable data or whatever kind or nature to which the Postal Service has or has had access to, regardless of origin or location, hardcopy or electronic, handwritten or typed. Documents should be produced in the way they are maintained.

I. The term “describe” means to detail in full, with specificity, the event or situation at issue.

J. The term “identify,” (1) when used with regard to a person, means to provide the full name and position of the person, and (2) when used with regard to a document means to describe the subject matter of the document, its author, the date, and any intended recipients.

K. The term “communication(s)” means the transmittal of information by any means and includes communications or any kind, whether written, oral, electronic, or other.

L. All “documents,” as defined above, responsive to discovery requests that can be located, discovered or obtained by reasonably diligent efforts, including without limitation all documents possessed by (a) you or your counsel or (b) any other person or entity from whom you can obtain such documents by request or which you have a legal right to bring within your possession by demand, should be produced.

M. Responses to requests for explanations or the derivation of numbers should be accompanied by workpapers.

N. The term “workpapers” includes all backup material whether prepared manually, mechanically or electronically. Such workpapers should, if necessary, be prepared as part of the witness’s responses and should allow a third party to understand how the witness took data from a primary source and developed that data to achieve a final result. If Excel-type spreadsheets are used, please provide a version of the worksheets that include the underlying formulas for each cell.

O. Unless otherwise noted, all postal related terms have the definitions of the current version of the Postal Service’s Publication 32 – Glossary of Postal Terms.

Respectfully Submitted,

/s/ Christopher J. Laver

Public Representative for
Docket No. N2012-1

901 New York Ave, N.W. STE 200
Washington, DC 20268-0001
(202) 789-6889; Fax (202) 789-6891
christopher.laver@prc.gov

PR/USPS-1

Please provide all documents or correspondence relating to the proposed changes at issue in this docket sent to or from the Postal Service to or from the President, White House offices, United States Senators, Members of the United States House of Representatives, their offices, Committees, Sub-Committees, and staff members concerning, dated between January 1, 2011 and December 15, 2011. Duplicate copies of form responses need not be produced.

PR/USPS-2

Please provide all documents or correspondence relating to the proposed changes at issue in this docket sent from the Postal Service to mailers or other members of the public dated between January 1, 2011 and December 15, 2011. Duplicate copies of form responses need not be produced.

PR/USPS-3

Please provide all presentations or training materials given to Postal Service regional or local managers by headquarters concerning the proposed network rationalization.